

28 SEP 2005

Attorney Docket No. 17885 A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare, of my own knowledge or on information and belief, that:

My residence, post office address and country of citizenship are as stated below next to my name;

I am the original, first and sole inventor, if only one inventor is identified below, or an original, first and joint inventor, if more than one inventor is identified below, of the subject matter which is claimed and for which a patent is sought and which is entitled:

TRUE POSITION BENCH

and which is described and claimed:

_____ In the attached application including specification and claims if this line is marked, or

XX _____ In the original specification and claims filed on
January 3, 2005 as U.S. Patent Application Number
10/520,075 or PCT International Application Number

I have reviewed and understand the contents of the specification and the claims;

I acknowledge the duty to disclose information which is material to the examination of the application in accordance with 37 CFR §1.56(a). The text of 37 CFR §1.56(a) states,

"A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b) -(d) and 1.98. However, no patent will be granted on

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Page 2

an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct.

"The Office encourages applicants to carefully examine: 1) prior art cited in search reports of a foreign patent office in a counterpart application, and 2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office."

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Provisional Application No.: _____

Filing Date: _____

Provisional Application No.: _____

Filing Date: _____

I hereby claim the benefit under 35 USC §120 of any United States application(s) or §365 (c) of any PCT International application designating the United States listed below.

Application Serial No.: PCT/US03/21138Filing Date: July 3, 2003Status: Issued as WO 04/005970, on January 15, 2004

and I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 CFR §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application.

I claim foreign priority, pursuant to 35 USC §119(a)-(d) of an application for patent or inventor's certificate, and identify below said application (if any is identified) and any such foreign application (if any is identified) having a filing date before that of the application on which foreign priority is claimed;

Application No.: _____

Filing Date: _____

Country: _____

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Attorney Docket No. 17885-A

Page 3

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true, and I am warned that willful false statements and the like are punishable by fine or imprisonment, or both, (18 USC §1001) and may jeopardize the validity of the application or any patent issuing thereon.

5 I hereby appoint Lisa Burgin Conte (Registration No. 52470), Robert J. Kapalka (Registration No. 34198), Driscoll A. Nina, Jr. (Registration No. 34685), Brian C. Oakes (Registration No. 41467) and Stephen J. Driscoll (Registration No. 37564), whose post office address is: Tyco Technology Resources, 4550 New Linden Hill Road, Suite 140, Wilmington, DE 19808-2952, or their duly appointed associate, my attorneys or agents with full powers of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the Letters Patent, and to transact all business in the U.S. Patent and Trademark Office in connection therewith.

Direct all correspondence to the address:

Tyco Technology Resources
4550 New Linden Hill Road
Suite 140
Wilmington, Delaware 19808-2952

Full Name of First Inventor: Terry P. Bowen

100 Signature: _____ Date: _____

Residence: RD 1st, Etters, Pennsylvania 17319 PA

Citizenship: United States of America Post Office Address: Same as above

Full Name of Second Inventor: Richard J. Perko

200 Signature: _____ Date: _____

Residence: 1817 Dogwood Road, Harrisburg, Pennsylvania 17110 PA

Citizenship: United States of America Post Office Address: Same as above

Full Name of Third Inventor: John B. Breedis

300 Signature: [Signature] Date: 30 AUGUST 2005

Residence: 504 Beacon, Boston, Massachusetts 02115 24 APPLEBY ROAD, WELLESLEY, MA MA

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an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct.

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Full Name of Second Inventor: Richard J. Perko

Signature: Richard J. Perko Date: 8/1/05
Residence: 1817 Dogwood Road, Harrisburg, Pennsylvania 17110

Citizenship: United States of America Post Office Address: Same as above

Full Name of Third Inventor: John B. Breedis

Signature: _____ Date: _____

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